

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA**

**INSTRUCTIONS FOR PRISONERS FILING COMPLAINTS IN
CIVIL RIGHTS ACTIONS UNDER 42 U.S.C. § 1983**

*Civil rights actions commenced by pro se litigants will not be considered by the Court
unless this form has been completed by the litigant as explained below.*

Explanation and Instructions - Read Carefully

1. This packet includes a complaint form which must be completed as instructed below. Also included is an *in forma pauperis* application which you must complete if you cannot pay the \$150.00 filing fee.

2. Your complaint must be legibly handwritten or typewritten and all questions on the complaint form must be answered. Use your full, correct name as Plaintiff. When listing Defendants, provide name and title; *i.e.*, Officer R. Smith. You must furnish an address for each Defendant. If you need additional space to answer a question, you may use additional blank pages, but do not write on the reverse side of any page. You must sign the last page of the complaint form. ANY FALSE STATEMENT MADE ON THIS FORM MAY RESULT IN THE DISMISSAL OF YOUR COMPLAINT AND MAY ALSO SERVE AS THE BASIS FOR PROSECUTION FOR PERJURY. Keep a copy of the complaint for your records, but the complaint that is sent to the Court for filing must contain your original signature. Do not provide service copies until instructed to do so.

3. State the facts which support your claims in Section V of the complaint form. The claims raised in this action must relate to the same basic incident or issue. Any other claims must be addressed in a separate civil rights complaint. When presenting the facts, do not make legal arguments or provide case citations. If you desire to make a legal argument, you should do so by filing a separate memorandum of law. However, such argument is unnecessary at the initiation of a case. You will be advised when it is appropriate to submit evidence or legal argument in support of your claim(s). With one exception, do not attach evidence or exhibits to the complaint form. *The only exception is that prisoners are required to submit copies of all grievances which demonstrate exhaustion of administrative remedies on each claim raised in the complaint.*

4. For the complaint to be filed, you must submit a filing fee of \$150.00 at the same time you submit your complaint if you are financially able to do so. If you can pay the fee, you are also responsible for the costs of service of the complaint upon Defendants, although you may seek assistance from the Court. If you are unable to pay the filing fee, you may petition the Court to proceed *in forma pauperis* using the forms included in this packet. The forms must be submitted with your complaint. You must also have an authorized official at your institution complete the certificate section of the form which provides information about your inmate bank account.

5. Those who are allowed to proceed *in forma pauperis* are entitled to service of the complaint upon Defendants by the United States Marshal. If you are granted leave to proceed *in forma pauperis*, you should not attempt to effect service of the complaint by yourself, nor should you mail to any Defendant a request for waiver of formal service pursuant to Rule 4 of the Federal Rules of Civil Procedure. The Court will order the Marshal to serve the complaint on the Defendants at the appropriate time.

6. After receiving notice from the Clerk of your case number, you must include the case number on all documents you file with the Court. You must keep a copy of every document you send to the Court, including a copy of this complaint. Litigants are not entitled to free copies from the Clerk even if proceeding *in forma pauperis*. You must immediately advise the Court of any change of address by filing a "Notice to the Court of Change of Address." This notice must contain the address change and must be signed. FAILURE TO NOTIFY THE COURT OF ANY CHANGE OF ADDRESS COULD RESULT IN THE DISMISSAL OF YOUR CASE.

INSTRUCTIONS FOR PRISONERS FILING COMPLAINTS
UNDER 42 U.S.C. § 1983 - PAGE 2

7. The complaint will be prosecuted in either the Gainesville, Panama City, Pensacola, or Tallahassee Division of the Court, depending on the county of residence of one or more of the Defendants or the place where the events forming the basis of the complaint occurred. You should name the appropriate division of the Court in the space provided at the top of the complaint form.

The following counties comprise the **Gainesville** Division: Alachua, Dixie, Gilchrist, Lafayette, and Levy.

The following counties comprise the **Panama City** Division: Bay, Calhoun, Gulf, Holmes, Jackson, and Washington.

The following counties comprise the **Pensacola** Division: Escambia, Okaloosa, Santa Rosa, and Walton.

The following counties comprise the **Tallahassee** Division: Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla.

Cases to be filed in the **Tallahassee** Division should be mailed to:

CLERK, U.S. DISTRICT COURT
111 N. ADAMS STREET
SUITE 322
TALLAHASSEE, FLORIDA 32301-7717



Cases to be filed in the **Gainesville** Division should be mailed to:

CLERK, U.S. DISTRICT COURT
401 S.E. FIRST AVENUE
ROOM 243
GAINESVILLE, FLORIDA 32601

Cases to be filed in *either* the **Pensacola** or **Panama City** Divisions should be mailed to:

CLERK, U.S. DISTRICT COURT
1 N. PALAFOX STREET
ROOM 226
PENSACOLA, FLORIDA 32502-5658